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Race and Gender Differences in Two Sanctioning Strategies for Juvenile Offenders

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RACE AND GENDER DIFFERENCES IN TWO SANCTIONING STRATEGIES FOR
JUVENILE OFFENDERS

A Thesis

Submitted to the Graduate Faculty of the
University of New Orleans
in partial fulfillment of the
requirements for the degree of

Master of Arts
in
The Department of Sociology

by
Chantrelle Varnado

B. A. University of New Orleans, 2002

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Abstract

Research suggests that decision-makers often use demographic characteristics for the purpose of influencing the sanctioning strategy allocated. The research study examines the extent to which the sanctioning strategies allocated are influenced by race and gender. The research is based on data gathered from Jefferson Parish Juvenile Services Department of Probation used to examine how race and gender influence juvenile sanctioning strategy allocation. The results from the discriminant analysis offers support for the argument that due to stereotypical perceptions on the part of decision makers, members of minority groups, in particular females may receive differential treatment than their white male counterparts. Implications of the results, as well as suggestions for future research are discussed.

Chapter 1

Introduction

Although previous research studies have addressed the issue of race and gender discrimination in the juvenile justice system, this thesis examines if there is race or gender discrimination in allocation of juvenile offenders to sanction strategies. The existing literature on juvenile offenders is deficient because previous authors have failed to identify how race and gender influence the sanctioning strategy allocated. Numerous studies have explored the success of sanctioning strategy; few identify the effect of demographic characteristics that may influence sanctioning strategy allocation. Studies have also failed to examine the influence of class status on the sanctioning strategy. Because past studies have overlooked why juveniles are sanctioned to detention as opposed to electronic monitoring, this study will include juvenile offenders in detention and analyze its causes.

Purpose of the Study

The purpose of this study is to examine the effect of various variables on the fairness of electronic monitoring and detention. Personal demographics about the juvenile offender and extralegal factors are divided into different categories (race, gender, age, seriousness of offense, and length of sentence served). Examination of the personal information of juvenile offenders is important to this study because it is hoped it will be possible to identify factors contributing to significant differences in sanction strategy allocated. Discriminant analysis will be used to identify which variables are most strongly associated with sanction allocated.

Significance of the Study

The study seeks to increase attention to the supervision and treatment of juvenile offenders in the community so that adequate data will be developed to support alternative sanctions for juvenile. In particular, this inquiry examines if there are race and gender differences in allocation of electronic monitoring and detention for juvenile offenders.

This study contributes to the literature concerning racial and gender differences in the juvenile justice system. More research about racial differences in sanctioning juveniles is needed, especially now that the federal government is monitoring these decisions to ensure that racial discrimination no longer occurs. The results of this study will show if this jurisdiction is complying in this one decision. In addition, there is very little research about the effect of gender on sanctioning strategies and much of it is out-of-date. This study will add to the literature.

Thus, if the results of this study show that race significantly affects the sanction, then there is evidence that federal monitoring of sanctioning decisions is not adequate to obtain compliance and the government must increase its monitoring efforts. Moreover, if the results demonstrate that gender significantly affects the sanction, this outcome would suggest that the government should also attempt to force the end of gender discrimination in the juvenile justice system and monitor the decisions in the system for this type of discrimination as well. This would be especially true if the result is that females get harsher sanctions since females in general are less serious and less frequent offenders than males. In summary, the system needs to examine its decisions at every stage since discrimination cannot be stopped if it is not even recognized.

Literature Review

Discussion of Electronic Monitoring & Detention

When juvenile offenders violate their terms of probation they are sanctioned to specialized sanctioning programs. The specialized sanctioning programs are intended to allow more rational allocation of correctional and sanctioning resources to safely supervise minor offenders in community programs while confining serious offenders to imprisonment. Specialized sanctioning programs include: (1) juvenile detention, the temporary and safe custody of juveniles accused of conduct subject to the jurisdiction of the court, and (2) electronic monitoring, which allows offenders sentenced to probation to remain in the community on the condition that they stay at home during specific periods of time. The juveniles are placed on the sanction strategy based on the severity of the offense and risk of future recidivism. For example, a first time offender who committed a crime against person would be recommended for detention.

An electronic monitor is worn the juvenile offender emits a signal indicating the offender's whereabouts and alert authorities when the offender left his or her premises. Primarily, low-risk offenders who violate their terms of probation are sanctioned to electronic monitoring (Bonta et al 2000). Usually, the offenders sanctioned to electronic monitoring represent a group who could be safely managed in the community.

In contrast, youth sanctioned to detention are usually your medium- risk or high-risk offenders. The juvenile offenders are confined to a physically restricting environment that exposes them to a "prison."

Previous Research on Sanctioning Strategies

Advocates of electronic monitoring and juvenile detention both praise the community treatment principles, which include community protection, accountability, competency, individualization, and balance. In addition, electronic monitoring and detention are more restrictive than routine probation so it may better address the community needs for punishment. Also, electronic monitoring and detention provides an opportunity to rehabilitate offenders. Assessment of electronic monitoring and detention shows recidivism rates are about the same compared to other programs (Siegel & Sienna 1997).

At the outset, electronic monitoring is a "graduated sanctions" model based upon a youth's performance while on probation. Electronic monitoring offers a concrete support system to achieve the goals of reducing the number of juvenile offenders held in secure detention and to prevent recidivism. For example, Charles (1989) proclaims offenders are monitored who would otherwise have been incarcerated. Electronic monitors offer more individualized treatment, are responsive to local and offender needs, and provide an alternative to incarceration for non-violent pre and post-adjudicated offenders, thereby alleviating overcrowded juvenile correctional facilities. Therefore, electronic monitoring can be used to save money and limit incarceration without sacrificing community safety.

Support for electronic monitors may be found in the literature. The greatest benefit of electronic monitoring is its lower cost and its ability to be used as a community based intermediate sanction in which treatment services can be delivered. In addition, electronic monitoring reduces the number of days juveniles spend in detention. Also,

electronic monitoring allows juveniles who would otherwise be detained to remain in the home with supervision. Furthermore, because juveniles are monitored by electronic devices, fewer supervision officers are needed.

However, there are general criticisms of electronic monitoring including it being issued to serious offenders, faulty equipment, a lack of rehabilitative services, infringement on privacy, increased costs, and net widening. Net widening is the phenomenon that occurs when the overall juvenile justice population is increased due to programs intended to divert lower-risk youth actually enmeshes the juvenile more deeply into the juvenile justice system. For example, Charles (1989) states if net widening occurs, electronic monitoring can increase correctional costs, especially if it becomes an additional condition of the probation program. More importantly, if net widening occurs, electronic monitoring could incur greater costs due to technical violations or new criminal activity. Consequently, the electronic monitor which was intended to rehabilitate and punish lower-risk youth who violated the terms of their probation may eventually lead to more criminality. Another setback is that close surveillance may unleash new technical violations at higher rates. Rather than reducing the number of youth formally processed through the juvenile justice system, close surveillance may result in more juveniles placed in the juvenile justice system. Additionally, judges may misuse electronic monitoring as a sanctioning method by issuing it to more serious offenders to save tax money or prison beds because they might feel that prison is too severe.

Annesley Schmidt (1998) focuses on the use of electronic monitoring as a tool for criminal justice. Schmidt found several disadvantages of electronic monitoring, ranging

from proper selection and assignment of offenders to appropriate sanctions, unrealistic expectations, and technology replacing human beings, widening social controls, and net widening. That is, offenders are being sanctioned on lower levels, and a primary focus is on offender surveillance. In reference to participant selection, there is a race bias when admitting those juveniles who qualify for electronic monitoring. There is also gender bias in that females with more serious offenses may not be viewed as a threat to their communities so they are issued electronic monitoring which could compromise of public safety.

Roy Sudipto (qtd. in Schmidt 12) compares adult and juvenile offenders sentenced to electronically monitored home detention, paying special attention to the two groups' rates of failure to complete those sentences. Eligibility for the home detention program relies on whether there is strong family support, whether the crime committed was nonviolent, and if the candidate is employed or currently attending school. When comparing failure rates of juveniles and adults, the factors most relevant to differences were race, current offense, substance abuse history, most recent prior offenses, and sentence length. Based on the findings, Sudipto concluded that among juveniles, current offense, substance abuse, and repeat offenders were most likely to fail. Sentence length also predicted failure; the longer the sentence, the more likely the failure.

Advocates of detention assert detention is a short and intense period of retributive punishment that may be successful in transforming and reforming offenders and subsequently reducing recidivism. Juvenile detention facilities provide restrictive custody through staff monitoring, locked entrances and exits, and interior fence controls. Specifically, a juvenile may be placed in detention if they have violated their terms of

probation and the probationer poses a threat to the public or themselves. In addition, juvenile detention facilities are essential in reducing the number of incarcerated youth. Detention may be used as a sanction because detention may offer some help and treatment, and a strategy to gain a juvenile's attention before giving them a stiffer penalty. According to the Annie E. Casey Foundation, this practice reflects the belief that juvenile offenders can be shocked into behavior and that a stay in detention will give them a "taste of the system" (Roush 2000 247). This is a tactic of "Scared Straight". Roush (2000) finds this "Scared Straight" approach is problematic because more delinquency is created for detention programs and staff due to the increase in offense seriousness, lengths of stay, and age of offender.

Prior literature suggests detention as a short-term punishment is less effective than other sanction strategies in practice as a threat. Juvenile offenders may adapt to the regimen of detention, so any "taste of the system" wears off after a day or so of their initial stay. Detention as a sanction challenges the temporary element in the definition by increasing the length of stay. Federle and Lind (1992) suggest the number of youth confined in secure detention facilities can be considerably reduced without jeopardizing community safety. As a result of overcrowding, violent offenders are placed in the same facility with nonviolent offenders. For these reasons, "the National Juvenile Detention Association is opposed to juvenile detention as a sanction," (Roush 2000 248).

The purpose of sanctioning is to protect the community from delinquency by imposing accountability for offenses committed as well as to equip juvenile offenders with the required competencies to live productively and responsibly in the community. The most basic and important goal of sanctioning is to safeguard the public interest by

detering juvenile offenders from repeating their illegal and socially unacceptable behavior. Proponents of sanctions share the following arguments: (1) juveniles committing new offenses or reoffending can be quickly hauled back into juvenile court for more intensive and intrusive interventions, (2) sanctioning is a moderately effective method of controlling the illegal behavior of moderately delinquent juveniles including those involved in person oriented offenses, (3) sanctioning advances balanced rehabilitation while accommodating demands for legal controls and public protection, and (4) most sanctioned juvenile offenders respond with less delinquency.

In sum, both electronic monitoring programs and juvenile detention are designed to ensure community safety and reduce cost. Electronic monitoring is advantageous in that it allows less serious offenders to remain in their community and allow them to stay in school, maintain family attachments, and their own level of independence. Several factors are attributed to the possible success of the sanction, such as the careful selection of program participants, the goal of the program, and the juveniles' fear of imprisonment if they violate the terms of their sanction. Despite these factors, some stakeholders are still willing to risk the safety of the juvenile or to make recommendations which were professionally incorrect simply to save money. More importantly, sanctions that involve an appropriate treatment component should be more effective at reducing recidivism than incarceration for many offenders.

Theory

With respect to examining race and gender discrimination in sanction assignment, radical-conflict theory outlines problems of power and inequality that are thought to contribute to social environments favored by a ruling class. Radical-conflict theory developed from the writings of Karl Marx, and was tailored to examine crime by Jeffrey Reiman (1996) and Richard Quinney (1985) to study how the politically and economically powerful use their position to defuse threat and secure legitimacy of their position. Central to radical-conflict theory is the idea of capitalism creating a class struggle between the elite and the lower class, with crime as one consequence of that struggle.

Radical-conflict theory examines how the criminal justice system enforces laws that impose standards of morality and good behavior created in the interest of the ruling class on individual wrongdoers. Crime divides society into two opposing social groups, noncriminal composed of the “decent middle Americans” and the criminal composed of the individuals who are poor or of weak character. The criminal laws generate conflict, hostility, and bias against minorities and groups below the middle class on “the economic ladder” (Reiman 1998 149). Consequently, the middle class sides with the elites, thinking crime is the work of a dangerous lower class.

Richard Quinney (1985) contributed to radical-conflict theory by indicating six central ideas to the social reality of crime, which describe the basic reasons for criminal behavior in a society at a given time. First, crime is a definition of human conduct that is created by authorized agents in a politically organized society. Second, criminal definitions describe behaviors that conflict with the interests of those segments of society

which have the power to translate their interest into policy. Third, criminal definitions are applied by the segments of society that have the power to shape the enforcement and administration of criminal law. Fourth, behavior patterns are structured in segmentally organized society in relation to criminal definitions, and within this context persons engage in actions that have relative probabilities of being defined as criminal. Fifth, conceptions of crime are constructed and diffused in the segments of society by various means of communication. Sixth, the social reality of crime is constructed by the formulation and application of criminal definitions, the development of behavior patterns related to criminal definitions, and the construction of criminal conceptions.

Essentially, the definition of crime is an implicit judgment of behaviors that is formulated by the ruling elite and is taught to members of society. The ruling elite decide what and who is criminal. The definition of crime creates havoc by criminalizing more behaviors of the nondominant class that are perceived as threats to the ruling class (e.g. girls running away from home, youth being labeled ungovernable, and drugs used by minorities). As a result of the criminal definition, there is more class conflict because of a person's position in political/economic structure.

Criminal definitions are based on the social order of the elite who have the power to make criminal laws that maintain established social institutions and economic order. By way of criminal laws, the elite are able to control the behavior of people who are oppressed by the modern capitalist political and economic system and are virtually powerless (workers, lower class, etc.). Although the elite (the ruling class) commit crimes of control, crimes of economic domination, and crimes of government, the criminal laws and procedures protect the ruling class from penalty. Laws are primarily enforced against

the lower class. For example, when a juvenile is sanctioned, the juvenile justice system acquits society of its responsibilities to the juveniles and solely blames the juvenile offender by claiming that criminal laws are minimum neutral ground rules. Actions show how the members of oppressed groups are virtually controlled by the criminal justice system.

Application of criminal definitions refers to the interests of the elite placed into effect, and those who do not follow the law are perceived to be members of a deviant or minority group trying to gain power. In other words, the court officials put in effect laws that reflect the ideology of the middle and upper classes and any one who does not follow the law is criminal or delinquent. Crime and delinquency are a response of the minority groups trying to escape their class, gender, and racial inequalities produced by capitalistic motivations.

The development of behavior patterns in relation to criminal definitions refers to individuals in the minority sectors of society who were not represented in the creation and application of criminal definitions. They are more likely to be perceived as a criminal than people who belong to the white, middle to upper class social structure. Individuals oppressed by the system, especially the working class, the poor, and racial and ethnic minorities may participate in crime due to the fewer legitimate opportunities available. Construction of criminal conceptions suggests that the law is a principle tool of used to defend the struggle between social groups and control the lower class. In sum, the social reality of crime refers to a theory that describes and explains the amount and character of crime in a society at a given time.

Discussion of Theory Relating to Race, Gender, and Sanctioning strategies

Race, gender, and power are at the core of the radical-conflict perspective. In terms of the sanction decision, many of the court officials are limited to a traditional Eurocentric, male interpretation of the law resulting in discrimination on the basis of race and gender. Also, the court officials' personal biases and possible ethnocentric attitudes may influence the sanction decision instead of legal variables such as seriousness of offense. In other words, the court official may inappropriately select a sanction strategy due to stereotypical beliefs. Consequently, the patriarchal juvenile justice system may inadvertently reinforce punishment of juvenile offenders who belong to a minority group more severely than white males because they perceive minorities as more threatening, and therefore more deserving of punishment and control (Bridges and Steen 1998 556). As a result of subtle forms of sexism or racism, the court officials' sanction decisions favor the white male juvenile offender and sustain multiple oppressions for the nonwhite male and female juvenile offenders.

Radical feminists believe gender inequality stems from the unequal power of men and women and the subsequent exploitation of women by men. Radical-feminist delinquency theory has challenged the male-oriented assumptions regarding what constitutes female delinquency and raised some critical questions: Why are females sanctioned more leniently than males for index crimes (robbery and aggravated assault) but more harshly for nonindex crimes (especially running away and incorrigibility)? Can theories developed by white males from Western cultures to address male criminal behavior appropriately address female delinquency?

Radical feminist theorists address the roles that both women and men have been socialized to accept. The theorists assert females are limited to gender-roles constraints and attitudes from their early socialization and how these may affect their sanction decision. For instance, the juvenile justice official may be more likely to sanction the female offender to detention because her alleged sexual behavior violates the court officials' stereotype of the young female. Nagal and Hanan argue that the sex-role attitudes of appropriate behavior for males and females cause both the more lenient and more severe sanctioning strategies females are issued (qtd in Kruttschnitt and Green 2003 541).

The radical-conflict feminist theorists emphasize the oppression of women is embedded in patriarchy and the power difference between men and women in American society. Based on the unequal power of men and women, the juvenile court reinforces submissive and self-sacrificing behaviors in the female offender, by limiting access to privilege and power to act paternally to the young females. The relationship between the juvenile offender and the juvenile court is hierarchical, with the court official in the power position, sanction decisions are viewed as a means of maintaining the oppressive status quo. Siegel and Senna (1997) state "women are inherently powerless in such a male-dominated society; their crimes reflect the limitations they have for both legitimate and illegitimate opportunity" (Siegel and Senna 265). For example, females are confined to detention for committing a nonindex offense because the criminal justice system wants to protect them from social evil, by presenting females with behavior models that will help them conform to normative society. Chesney-Lind and Shelden (2004) noted in 1999 that 8% of females compared to 2% of males were being held in

detention for status offenses. Also, 30% of girls were held in detention for technical violations, compared with 21% for males. Worth mentioning, females were less likely than males to be sanctioned to detention for index crimes against property and index crimes against persons.

Instead of basing the sanction strategy decision principally on seriousness of offense, race, gender, and/or age, the court officials should examine the environmental factors that may contribute to the juvenile offender engaging in delinquency. Furthermore, the court official should understand the impact of gender and cultural factors on making the sanction strategy decision. The court officials should be made aware of the roles males and females are taught.

A main criticism of radical-conflict theory is it overgeneralizes White male delinquency to fit delinquency of all. Also, viewing the source of the sanction strategy decision in discrimination may actually contribute to the juvenile offender not accepting responsibility for their actions. Furthermore, radical-conflict theory overlooks women of color and assumes race is not as crucial as gender in understanding discrimination in disposition decisions. Thus, radical-conflict theory should further address access to power and work towards becoming a more inclusive theory.

Previous Research on Personal Demographics and Sanctioning Strategy

Several studies have explored racial and gender bias in sanctioning of juvenile offenders throughout the juvenile justice system. Research regarding whether there are race and gender differences in sanction strategy is important because knowing whether discriminatory practices exist will generate information about the most suitable sanctioning strategies to effectively and supportively supervise, protect, and treat juvenile

offenders. This section will detail research on the variables that may influence sanction strategy.

Quite a few studies have focused on the role of race on the sanctioning decision in the juvenile court. First, Patricia Devine (1998) examined how African-Americans are significantly over-represented at all stages of the juvenile justice system. Devine found although African-American youth comprise only 15% of the United States population aged ten to seventeen, they represent 30% of all juvenile arrests, 62% of the known violent offenses committed by juveniles, 33% of the total adjudicated juvenile arrests, 45% youth in detention facilities, 46% of youth in long-term public institutions, and 52% of juvenile cases waived to adult criminal court. Devine suggested African-Americans are denied opportunities due to discriminatory practices and capitalistic motivations, resulting in greater involvement of African-Americans in juvenile crime. The capitalistic system makes it difficult for minority youth to enter the job market. For example, African-American youth who are unemployed may use delinquency to interact with peers and become part of the capitalistic society because their parents may not be able to provide them with the money to partake in their leisure lifestyle. Further, when disproportionate minority confinement occurs it is simply a result of differential actions of minority youth such as minority youth facing higher probabilities of being arrested by the police. This arrest is due to minority youth perceived as more delinquent because they visibly engage in open disputes with the police who may view them as violent and threatening. Devine devised a plausible solution to disproportionate minority confinement: eliminate or reduce any subtle discrimination that may exist in the early stages of the juvenile process.

Though previous research on how gender influences sanctioning strategy allocation is scarce, inconsistent, and out-of-date, there are studies that examine the impact of bias against females in the juvenile justice system. Some research has supported a traditional sex-role perspective that suggests that juvenile justice officials treat females more harshly than males in an attempt to enforce stereotypical notions of proper female behavior and is reflective of a “protective” stance toward females on the part of the juvenile court. For example, Shelden (1981) argues female offense patterns are in line with the view of young females being punished for violations of sex-role stereotypes. In addition, Chesney-Lind and Shelden (2004) suggest that female delinquency is a result of the "sexual scripts" within patriarchal families that make it more likely for females to become the victims of childhood sexual abuse. If females run away, the juvenile court supports the paternalistic “*parens patriae*” doctrine and returns the female to the parent. Continual violations lead to incarceration and a future laced with delinquency and criminal behavior.

Other studies find that males commit more offenses than females, and that male offenses are more serious than those of females. For example, the American Bar Association and the National Bar Association (2001) used detention data to examine the increase in both the number and percentage of girls in the juvenile justice system. Approximately one-half of the girls in secure detention in the United States were arrested for shoplifting and running away from home. The American Bar Association and the National Bar Association suggest the rise in female delinquency is attributed to the relabeling of girl’s family conflicts as violent offenses, changes in police practices regarding domestic violence and aggressive behavior, the gender bias in the processing of

misdemeanor cases, and possibly a problem with handling the unique dilemmas perplexing the females of today.

There are also other studies such as Bloom, et al. (2002) that claim to have found evidence of female offenders receiving both more lenient and more severe outcomes depending on the offense than males. Bloom stated that more attention is being placed on female offenders because they are one of the fastest growing segments of the juvenile justice system. Bloom noted that the type of confinement for females varies with offense type and severity. While females account for 47% of the juveniles confined for status offenses, they are less likely to be held in a residential facility for a violent index crime (females 13% to males 27%) or property index crime (females 19% to 27%). Plus, females committing a person offense are more likely to end up in public facilities (29%) than private facilities (19%).

Although numerous studies have made comparisons of the differences in the white female or male juvenile, most have ignored the African-American female juvenile offender. As a result, most of the literature on African-American females is fragmented, unfocused, or lacking statistical information. For these reasons, more attention should be placed on understanding the delinquent behavior of young women of color.

Racial differences and female differences were raised in a study by Miller (1996). Miller argues African American females have not benefited from any preferential treatment in the juvenile system because they are the potential recipients of both sexism and racism. Miller cites data comparing white females to African American females, showing white females receive more lenient outcomes than Black females. Miller also notes higher rates of violent offenses for African-American females. Miller concluded

that probation officers adhered to “racialized gender expectations” in which the behavior of African American girls was seen as a result of inappropriate lifestyle choices, whereas the behavior of white girls was more often viewed as a manifestation of low self-esteem.

Very little research has been completed which develops a list of factors that might influence the sanction strategy issued. For example, Cohen and Klugel (1978) address the effects of extralegal factors such as race, gender, and social class on the detention decision. They assert the detention decision is controversial because many juvenile court statutes which define the criteria on which these decisions are based are vaguely worded. Cohen and Klugel found no evidence of racial discrimination on dispositional decisions after the effect of relevant legal variables were taken into account. Also, there is literature focusing on females and juveniles of color not experiencing preferential treatment in allocation of alternative sanctions. In general, females are detained in public detention centers for different and less serious offenses than boys.

Brian K. Payne (2002) examined the way different types of offenders respond to the experience of being placed under house arrest with electronic monitoring. Payne found that although there were a few subtle differences in the adaptation to house arrest with electronic monitoring, the experience was relatively equal among various groups. Gender, race, age, and length of time on electronic monitoring moderately influence various perceptions and experiences. The results of this study suggest that female offenders may experience more shame from wearing the bracelet than male offenders do, and electronic monitoring affects women’s work schedules. African-American offenders found electronic monitoring more restrictive than white offenders. Payne also concluded

that the longer the sentence, the more likely the offender will violate their conditions of probation.

Ginger Martin (2003) discusses the effectiveness of community-based sanctions used by community corrections in the United States. Martin notes that correctional system decision makers often feel compelled to increase their use of community-based sanctions because they are less expensive. Martin concluded community based sanctions may not be effective in reducing recidivism, punishing offenders for lawbreaking, and preventing them from causing harm to the community.

Research concerning race and gender bias in juvenile decision making has produced inconsistent findings. Wu (1997) brought attention to previous studies of case-handling bias at various stages of juvenile justice processing that produced inconsistent results attributed to methodological problems. Wu attempted to resolve this by utilizing a multi-staged design, adequate control of several key legal and extra-legal variables, and refined measures of key social variables. He examined the effects of race on the three stages of juvenile justice processing: detention, adjudication and disposition. Data were obtained from 2,334 court cases randomly sampled from 17 Ohio counties. Wu concludes that differential treatment of minorities is at the detention stage. Further, when differential treatment occurs, it can have a lasting effect at the later decision points.

Tittle and Curran (1988) reviewed 35 studies conducted since 1967 of juvenile court decision making for contingencies under which discrimination is more or less likely to occur. Eight studies showed an association between severity of disposition and “social disadvantage” variables. Five of the studies controlled on legal variables and showed 9 discriminatory patterns. The results suggest that differential sanctioning depends on

whether the individual is a member of an aggregate that poses a threat to the elite. The threats are a result of symbolic, social-psychological factors wherein white adults react to demeanor often stereotypically associated with nonwhites. Thus, theoretical development about differential sanctioning will require de-emphasis on the ability of individuals to resist power and strengthened focus on the contingencies under which power is yielded.

Steffensmeier et al. (1998) employed a “focal concerns” approach that incorporated assessments about blameworthiness, protection of the community, and organizational considerations and constraints with interpretations of attribution theory to examine the effects of being young, African American, and male on adult case processing. The quantitative results indicated that age, race, and gender each had significant independent, but also interactive, effects on sentencing. Young African-American males received more severe sentences than any other age, race, or gender combination. Through qualitative interviews, Steffensmeier et al. confirmed the contention that decision-makers stereotyped young African American males as dangerous and unsuitable for release into society.

Bishop and Frazier (1996) found race to be a predictor of dispositions even after controlling for relevant legal variables such as prior record, offense seriousness, offense type. Bishop and Frazier found that African American females were detained at a rate that was about the same as African American males, whereas white females were less likely to be detained than the African American males and females and white males. African-Americans received harsher dispositions than comparable whites due to the possible perceptions and expectations of the court officials.

In the application of radical-conflict theory to this study of race and gender discrimination, court officials use independent variables like race, gender, age, and offense category as perceived behavioral and social characteristics to directly or indirectly sanction juvenile offenders to electronic monitoring and juvenile detention. With these specific variables, radical conflict theory would be adapted to read: Radical-conflict theory suggests that juveniles who are nonwhite and/or female will receive detention in order to make sure they are under the court's control and they will later support the political motives of the court. African-Americans and other minorities are perceived as populations that threaten the social and economic environment of those in power. The court officials use the sanction strategy as a tool of the juvenile justice system to support the status quo and control through the L. Robert Rivarde Detention Center run by and for the elite. Perhaps, court officials may punish minority offenders more severely than whites because they characterize minorities as more threatening. As a result of their demographic profiles and inequality, radical conflict theory would suggest African-Americans and other minorities are more susceptible to a severe sanctioning strategy.

Research Questions & Hypotheses

This study will address this question: Is there race or gender discrimination in allocation of juvenile offenders to electronic monitoring or detention? The comparison of juvenile offenders sanctioned to electronic monitoring with juvenile offenders in detention is directed toward determining if extralegal factors such as race and/or gender or legal factors such as current offense influence the sanction decision. Thus the two competing hypotheses are: H₁: The major predictors of sanction strategy allocated are

race and gender not type of offense. African-American males and other non-white minorities (including females) are more likely to receive detention than Caucasian males. H₂: Type of offense will be a better predictor of the sanctioning strategy. The more serious offense the stiffer the sanctioning strategy allocated. Juvenile probationers who commit index crimes against property and index crimes against persons are more likely to be sanctioned to detention, whereas juvenile probationers who commit nonindex crimes are more likely to receive electronic monitoring. These hypotheses are based on prior literature and studies on juvenile offenders.

Quantitative data with a sample of 240 post-adjudicated juvenile probationers sanctioned to electronic monitoring or detention will be used to answer the research question. Discriminant analysis will be utilized to describe and explain the variables that exist in the lives of the juveniles in the study. The methods of analysis will include the means and standard deviations of the predictor variables within sanction strategies, ANOVA assessing differences among the six predictor variables for the two sanctioning strategies, covariance matrices for the two sanctioning strategies, a test of equality of the within-group covariance matrices, Eigenvalues, Wilks' Lambda, Group Centroids, Group classification, and Kappa.

Background of the Juvenile Justice System

The establishment of the first juvenile court in Cook County in 1899 marked an innovative idea for the treatment and rehabilitation of juveniles involved in delinquency. The juvenile court was a conceptual change in the nature of the child's conduct, the child's responsibility for its conduct, and the state's role in dealing with the conduct. Although the goal of the juvenile court is to create a benevolent, protective, non-

adversary relationship between the child and state, it has denied children procedural rights. The juvenile court's ideology reflects the "best interests of the child and society" (Cavender and Knepper 1990).

Currently, far more juvenile offenders are dispositioned to probation or released informally without any legal punishment than are institutionalized. Lundman (2001) states that approximately 50 percent of the adolescents adjudicated delinquent by the juvenile court are sentenced to probation. The purpose of juvenile probation is to safeguard the community from delinquency, to enforce accountability for offenses committed, and to equip juvenile offenders with the required proficiency to live productively and responsibly in the community. Juvenile probation allows the juvenile to remain in the community and prevents stigmatization. When the child is not believed to be harmful to others, he or she is placed under the supervision of an officer of the juvenile court for purposes of rehabilitation.

Chapter 2

Methodology

Setting

The Jefferson Parish Juvenile Court was established in 1959. The Jefferson Parish Juvenile Court's mandate is to hear and judge proceedings affecting juveniles who reside in, or are found in Jefferson Parish, who are alleged delinquent, family in need of supervision, or in need of care. It is also responsible for cases involving criminal neglect, adoptions and custody.

The Department of Juvenile Services is an "agency" which provides services to both delinquent and status offenders age 10 through 16 who reside in or are found in Jefferson Parish. The services include physical custody and control while an offender, who should not be on the streets, is awaiting trial; evaluation and diagnosis of possible contributive factors to the illegal behavior; recommendations of treatment plans or incarceration to the Juvenile Court judges in an effort to correct illegal behavior; provision of some resources to carry out those plans; supervision of probation of management of offenders during the period of treatment or until 17; and to insure that the juvenile offender is afforded all legal rights throughout the entire process.

The Probation Division provides several important services to the juvenile court: conducting pre-dispositional investigations for the Juvenile Court on adjudicated juveniles; making recommendations to the Court at dispositional hearings and supervising juveniles placed on probation, and staffing and supervising the following specialized programs: Informal FINS Program, Pre-Trial Services/Supervision Program, Electronic Monitoring Program, Restitutions/Community Service Work Program,

Intensive Supervision Program, Correctional Options Program (COP), The Day Reporting Center, After-School Tutorial Program, Drug Test/Screening Program, and Family Harmony Workshop, and Volunteer Services, and Job Placements.

In 2003, The Jefferson Parish Department of Juvenile Services Probation Division adjudicated a total of 816 new probation cases. Of the 816 new cases received for supervision, 134 were felony cases, 369 were misdemeanor offenses, and 313 were formal Family In Need of Services cases. Two of this probation program's specialized programs utilized in the study are: electronic monitoring and detention, both of which are sanctioning strategies.

The Electronic Monitoring Program began in September of 1989. Electronic monitoring places the juvenile probation office in a non-traditional setting using a home-based central computer and numerous wristlets/verifiers which are attached to the offender's wrist/ankle. The system features a Radio Frequency signal for continuous monitoring with automatic violations callback alerting officials if the offender leaves his or her place of confinement. The main goal of Electronic Monitoring Program is to reduce the number of juvenile offenders held in secure detention by providing an alternative to secure detention for non-violent pre and post adjudicated offenders. Juveniles are court-ordered to participate in the Electronic Monitoring Program. The electronic monitoring program is staffed by two probation officers and serves as an intermediate sanction in the department's progressive sanction ladder.

The Electronic Monitoring Program handled a total of 808 new cases in 2003 with program participants serving a total of 18,660 home detention days, with an average stay in the program of 51 days. African American males accounted for 417 of all

referrals, white males 160; and other males 36. African American females accounted for 117 of all referrals; white females 64; and other females 14.

The Jefferson Parish Juvenile Court can impose a sanction of secure detention for violent youths and chronic serious offenders to the L. Robert Rivarde Detention Center, “the Hilton hotel of jails,” (Walsh 1989 B1). The juvenile offender’s uniform consists of a blue jumpsuit with a pair of Converse All-Stars. Plus, there is not a uniform guard. The juvenile offenders sanctioned to Rivarde receive meals, school instruction by teachers paid by the parish, medical and dental treatment, and pre-natal care if they are pregnant. The detainees are allowed visitation and phone calls. The offenders have access to computers, televisions, newspapers, and magazines. Some of the juveniles admit that the living standards at Rivarde are as good as or better than that at home. In a 1989 article in the Times-Picayune a teen-age detainee described Rivarde as a “home with no outside.”

As a 15-year-old boy who is accused of stabbing his father and has been in Rivarde previously, puts it:

You got your bed, a TV. They feed you good. It’s a real layout. The only thing wrong with this place is you can’t go home. (Walsh 1989 B1).

Rivarde is a holding center for juvenile offenders who are awaiting trial and who have been deemed unsafe for release. Although the L. Robert Rivarde Juvenile Detention Center is designed to protect the community, hold youth accountable for their actions, and assist youth in developing skills and competencies necessary to their becoming responsible citizens, it has been “forced to act as a prison for youth convicted of armed robbery, rape and murder because the state’s juvenile detention homes that comprise the

Louisiana Training Institute system are overflowing.” It was originally intended to deter first-time and minor offenders from future delinquency. “Rivarde is always filled to maximum capacity, and since many of the beds are occupied by state prisoners, at times it must turn away juveniles accused of crimes from truancy to auto theft due to a court-ordered population limit,” (Walsh 1993 B4).

The Rivarde Detention Center received a total of 1,959 new cases in 2003. The 1,959 program participants served a total of 20,257 detention days, with an average daily stay of 10.4, and average daily population of 49. There were 723 (37%) first admits and 1,236 previous admits. 1,308 or 67% of the cases received were African-American, 552 or 28% were White, and 99 or 5% were other. 1,418 or 72% of the cases were males and 541 or 28% were female.

Methods

The current study utilizes secondary analysis of existing juvenile court records. This is the best method available to collect the greatest amount of reliable quantitative data on juvenile offenders, a population too large to observe directly.

Data for this study were collected by court record retrieval from the Jefferson Parish Juvenile Services Department of Probation in Louisiana. Selected cases were chosen based on the criteria that the juvenile offender was on probation and underwent electronic monitoring or detention for the first time over a 12-month period from January 1, 2003- December 31, 2003. To obtain a representative sample, 120 cases were drawn from the juvenile detention records and 120 cases were drawn from electronic monitoring records at Jefferson Parish Juvenile Probation Office. A total of 240 cases were yielded from electronic monitoring and detention; however cases where electronic monitoring or

detention was used for the commission of nonindex offenses were rare so these 38 cases were omitted from the study.

The data set contains information about offenders who were placed on electronic monitoring or in detention for the first time. All information for the variables used in this study was retrieved from individual case files. The data describes accurately and precisely a wide variety of characteristics of sanctioned juvenile offenders and explains why there is potential discrimination in allocation of juveniles to sanctions.

Ethical issues in the study

The identities of the juvenile offenders were kept strictly confidential and records were kept safe and secure. All case files were noted on transcripts and data collections by a numeric code. Members of my thesis committee reviewed collected data. All documents (data analysis, etc) related to this research were maintained in a secure location to ensure confidentiality and anonymity of the juvenile offender.

Variables

Personal demographics used as predictors are race, gender, age, current offense, and length of sentence. Race will refer to the ethnicity of the juvenile offender. Age will refer to the age of the offender at the time of sanctioning. Seriousness of offense will refer to the general type of crime and will be subdivided into two categories: index crimes against person and index crimes against property. Index crimes against person will include: murder and nonnegligent manslaughter, forcible rape, robbery, and aggravated assault. Index crimes against person will include: burglary, larceny-theft, motor vehicle theft, and arson. Sanctions will be limited to electronic monitoring and juvenile detention. Disposition refers to the process by which a judge decides what should be done

with a juvenile for whom guilt is established. EMP will refer to the Electronic Monitoring Program.

There are several limitations of this study. Initially, this study will limit itself to collecting data on post-adjudicated juvenile probationer's age 11-16 in electronic monitoring and detention. The probability sampling procedure limits the research to juveniles in the probation program, thereby decreasing the generalizability of the findings. The conclusions could be subject to other interpretations.

Description of the Sample

Table 1 represents a description of the research sample. The sample consisted of 202 juvenile offenders, 154 (76.2 percent) males and 48 (23.8 percent) females. The average age of the sample was 16 years, with a range of 8-16 years. Caucasians represent 31.2 percent (63) of the sample, while ethnic groups represent 68.8 percent (African Americans = 62.4 percent (126) and Other= 6.4 percent (13)) of the sample. Index crimes against property and index crimes against persons (n= 111, n= 91, respectively), make up 84.2 percent of the sample. Finally, the average length of days served is 24.4 days, with a range of 2-119.

Table 1. Frequency Distributions of the Predictors

	FREQUENCY (F)	PERCENTAGES (%)
Race of the Offender:		
African-American	126	62.4%
Caucasian	63	31.2%
Other	13	6.4%
Gender of the Offender:		
Male	154	76.2%
Female	48	23.8%
Age the Offender:		
8 through 13	35	17.3%
14	48	23.8%
15	56	27.7%
16	63	31.2%
Seriousness of the Offense:		
Index Crime against Person	91	45.0%
Index Crime Against Property	111	55.0%
Length of Sentence Served:		
1-24	122	60.4%
25-48	54	26.7%
49-119	26	12.9%

The information contained in the court records utilized in the study allowed for determination of personal demographic characteristics on the sanction strategy allocated. The independent variables include race, gender, age, current offense, and length of sentence. Race was coded as African-American, Caucasian, or Other which will be coded as 1, 2, and 3 respectively. Gender of offender was recorded as male (1) and female (2). Age was categorized as eight through 13, fourteen, fifteen, and sixteen which was coded as 1, 2, 3, and 4. Length of sentence served is total days served and were collapsed into three categories: 1-24 days coded as 1, 25-48 days coded as 2, and 49 to 119 days coded as 3. The seriousness of offense category was based on the Federal

Bureau of Investigation Uniform Crime Report's two general types of index crimes and nonindex offenses.

The dependent variable is the sanction strategy imposed. Sanction strategies were recorded as electronic monitoring or detention and were coded as 1 and 2 respectively. Cases that were in contempt of court were not included in the study.

Data analysis procedures

Discriminant analysis is a procedure used to predict membership in two or more mutually exclusive groups from a set of predictors, when there is no natural ordering of the groups. Discriminant analysis was conducted to determine whether six predictors—race, gender, age, and last grade completed, seriousness of offense, and length of sentence—could predict sanction strategy. I want to investigate which variables discriminate between post-adjudicated juvenile probationers placed on electronic monitoring or placed on detention. The juvenile offenders will fall into one of the two categories. The SPSS data file contains 202 cases and 6 variables, the five predictor variables and the grouping variable that distinguishes among the two sanction strategies.

Green (1999) stresses a number of preliminary statistics should be reported: the means and standard deviations of the predictors within sanction strategies, ANOVAs assessing differences among the five predictors for the two sanction strategies, covariance matrices for the two sanction strategies, and a test of equality of the within-group covariance matrices. Wilk's Lambda, a series of chi-square significance tests, will assesses whether there are significant differences among groups across predictor variables. The Wilk's Lambda helped determine how many discriminant functions should be interpreted. Each discriminant function was given a name by examining the

strength of the standardized coefficient for the predictor variables in the function and the correlation coefficient between the predictor variables and the function within a group (coefficients in the structure matrix). The group classification results determine how well we can predict group membership using a classification function.

Results

This study examines the personal demographics as factors that determine the allocation of juvenile offenders to sanction after adjudicated as delinquent. This section presents the results of the data analysis and discussion of the results. First, the results from the crosstabulations for the personal demographic factors and sanction strategies are presented. Also, results of the discriminant analysis are presented. Then, a discussion of the results finalizes this section.

Table 2 shows the results of the cross tabulation of sanction strategy by race. The research hypothesis is: African-Americans and other minorities are more likely to be sanctioned to detention. Thus, African-Americans are more likely detained, whites more likely assigned to EMP. The null hypothesis is: There is no relationship between race and sanction strategy. In fact, the percentages of race and ethnicity sanctioned are very similar. Therefore, we fail to reject the null hypothesis that race has no relationship with sanction strategy served. Lambda has a value of .010, indicating a very weak relationship between race and sanction strategy.

Table 2. Sanction Strategy by Race in Percentages

SANCTION STRATEGY	AFRICAN-AMERICAN	CAUCASIAN	OTHER	TOTAL
Electronic Monitoring	50.0% (63)	52.4% (33)	46.2% (6)	50.5% (102)
Detention	50.0% (63)	47.6% (30)	53.8% (7)	49.5% (100)
Total (N)	100.0% (126)	100.0% (63)	100.0% (13)	100.0% (202)

Chi-square= 20 p>.05 Lambda= .010 Contingency Coefficient=.031

Table 3 presents the results of the cross tabulation of sanction strategy served by gender. The results suggest that there is significant evidence that males are sanctioned more often to electronic monitoring than females ($p<.01$). 57.1 percent of males and 42.9% of females were sanctioned to electronic monitoring. 29.2 percent of males and 70.8 percent of females were sanctioned to detention. This supports the hypothesis that females are more likely than males to be sanctioned to detention. Lambda has a value of .200 which indicates a weak relationship between the variables. Gender improves our prediction of the sanction strategy allocated by 20%.

Table 3. Sanction Strategy by Gender in Percentages

SANCTION STRATEGY	MALE	FEMALE	TOTAL
Electronic Monitoring	57.1% (88)	29.2% (14)	50.5% (102)
Detention	42.9% (66)	70.8% (34)	49.5% (100)
Total (N)	100.0% (154)	100.0% (48)	100.0% (202)

Chi square= 10.366, $p<.01$ Lambda= .200 Contingency Coefficient=.232

Table 4 presents the results of the cross tabulation of sanction strategy by age of offender. There was a significant relationship between age and the sanction strategy

served. For instance, 71.4% of the juveniles aged 13 and under were placed on detention; the younger the offender the less likely they were represented on either sanctions strategy. This suggests a juvenile aged 13 and under is more likely to receive detention as a sanction than electronic monitoring.

Table 4. Sanction Strategy by Age in Percentages

SANCTION STRATEGY SERVED	8 THROUGH 13	14	15	16	TOTAL
Electronic Monitoring	28.6% (10)	56.3% (27)	53.6% (30)	55.6% (35)	50.0% (102)
Detention	71.4% (25)	43.8% (21)	46.4% (26)	44.4% (28)	50.0% (100)
Total	100.0% 35	100.0% 48	100.0% 56	100.0% 63	100.0% 202

Chi-square= 8.22, p<.05

Lambda= .150

Contingency coefficient=.198

Table 5 shows the results of the cross-tabulation of the length of sentence served in percentages. Eighty of the juvenile probationers with a sentence of 1 through 24 days received detention. Forty of the juvenile probationers with a sentence of 25 through 48 days received electronic monitoring. Twenty of the juvenile probationers received a sentence of 49 through 119 days. There was a significant relationship of length of sentence served and sanction strategy allocated (p<.001). A lambda of .380 indicates a moderate relationship.

Table 5. Sanction Strategy by Length of Sentence Served in Percentages

SANCTION STRATEGY SERVED	1-24	25-48	49-119	TOTAL
Electronic Monitoring	34.4% (42)	74.1% (40)	76.9% (20)	50.5% (102)
Detention	65.6% (80)	25.9% (14)	23.1% (6)	49.5% (100)
Total N	100.0% 122	100.0% 54	100.0% 48	100.0% 240

Chi-square= 31.88, p<.001

Lambda = .380

Contingency Coefficient=.369

Table 6 displays the results of the cross tabulation of sanction strategy by offense category in percentages. It was hypothesized that category of offense would influence sanction strategy. This hypothesis was supported ($p = .035$). A lambda value of .15 indicates a weak relationship.

Table 6. Sanction Strategy by Seriousness of Offense in Percentages

SANCTION STRATEGY SERVED	INDEX CRIME AGAINST PERSON	INDEX CRIME AGAINST PROPERTY	TOTAL
Electronic Monitoring	41.8% (38)	57.7% (64)	50.5% (102)
Detention	58.2% (53)	42.3% (47)	49.5% (100)
Total N	100.0% 91	100.0% 111	100.0% 202

Chi-square 4.441, $p < .05$

Lambda= .150

Contingency Coefficient= .156

Table 7. Summary Table of the Crosstabs

VARIABLE NAME	LAMBDA	CONTINGENCY COEFFICIENT	SIGNIFICANCE
Race	.01	.031	$p > .05$
Gender	.200	.250	$p < .01$
Age	.150	.198	$p < .05$
Seriousness of Offense	.150	.156	$p < .05$
Length of Sentence	.380	.369	$p < .05$

Of the five predictor variables, race is not significantly related to the sanction decision while gender, age, type of offense, and length of sentence are. Of the four

significant variables, length of sentence is really an outcome of the type of sentence, thus it would be expected to have the strongest relationship with the sanctioning strategy. Of the remaining three variables, one is a legal variable-type of offense which indicates the seriousness of offense, and two are extralegal variables. It is interesting that the two extralegal variables are more strongly related to the sanction decision than is the legal variable; hence the adolescent's age and gender have more effect on the sanction allocated than does the seriousness of offense. Moreover, gender has the strongest relationship on the sanction type of the true independent variables since it explains 20 percent of the variability in sanction strategy while age and offense seriousness explain only 15 percent each. Thus, the results thus far suggest that there is gender, but not racial discrimination in the sentencing of these adolescents.

Tables 8 through 12 summarize the results of the discriminant analysis for predicting sanctioning strategy allocated. In Table 8, the preliminary statistics of discriminant analysis are presented. The table consists of the means and standard deviations of the predictors within sanction strategies, ANOVAs assessing differences among the six predictors for the two sanctioning strategies, and a test of equality of the within-group covariance matrices. The preliminary statistics did not indicate significant differences among the two sanction strategies (p-values range from .00 to .862). Also, there were significant differences in the covariance matrices among the two sanction strategies (p-value of .000 for the Box's *M* test). The covariances appear to differ across groups.

Table 8.1 Preliminary Statistics of Discriminant Analysis.
Group Statistics for All Variables without Missing Data (N= 202)

SANCTIONING STRATEGY SERVED	VARIABLE	MEAN	STANDARD DEVIATION
Electronic Monitoring	Race	1.4412	.60646
	Gender	.1373	.34582
	Age	2.8824	.99796
	Sentence Length	1.7843	.75291
	Seriousness of Offense	1.6275	.48587
Detention	Race	1.4400	.62474
	Gender	.3400	.47610
	Age	2.5700	1.14816
	Sentence Length	1.2600	.56174
	Seriousness of Offense	1.4700	.50161
Total	Race	.2376	.61900
	Gender	2.7277	.41084
	Age	1.5248	1.29291
	Sentence Length	24.2184	19.88542
	Seriousness of Offense	1.5495	.68916

Table 8.2 Tests of Equality of Group Means

VARIABLE NAME	WILKS' LAMBDA	F	DF1	DF2	SIG
Race	1.000	.030	1	204	.862
Gender	.953	10.063	1	204	.002
Age	.977	4.862	1	204	.029
Length of Sentence Served	.867	31.177	1	204	.000
Seriousness of Offense	.998	.492	1	204	.484

In Table 8.2 the results of univariate ANOVAs, carried out for each independent variable are presented. Gender, age, and length of sentence served differ (sig = .002, .029, and .000) for the two groups (electronic monitoring and detention).

Table 8.3 Test Results

BOX'S M		57.891
F	Approx	2.670
	df1	21
	df2	151117.6
	Sig.	.000

Table 8.3 displays the results of the test of equality of the within-group covariance matrices. Box M tests the null hypothesis that the covariance matrices will not differ between groups formed by the dependent. The test was significant. Based on Box M, we conclude the sanction strategies do differ in their covariance matrices.

Table 9. Significance Tests and Strength-of-Relationships

Eigenvalues

FUNCTION	EIGENVALUE	PERCENT OF VARIANCE	CUMULATIVE PERCENT	CANONICAL CORRELATION
1	.196	100.0	100.0	.405

The canonical correlation of .405 is moderate.

Wilks' Lambda

TEST OF FUNCTION	WILKS' LAMBDA	CHI-SQUARE	DF	SIG.
1	.836	35.9577	6	.000

The results for significance tests and strength-of-relationship statistics are shown in Table 9. In the first box labeled Eigenvalue, the discriminant function has an Eigenvalue of .196 and a canonical correlation of .405. By squaring the canonical correlation for the discriminant function ($.405^2 = .164$), the eta square was obtained. Accordingly 16%, of the variability among the two sanction strategies is accounted for by differences among the personal demographic variables. The Wilks' lambda, which is a series of chi-square significance tests, assessed whether there are significant differences among groups across the predictor variables, after removing the effects of any previous

discriminant functions. The overall Wilks' lambda was significant, $\Lambda = .84, \chi^2(5, N = 202) = 35.957, p < .001$, indicating that there are differences among sanction strategies across the five predictor variables in the population. Based on the ANOVA table, we may consider eliminating race and offense from the model.

Table 10. Standardized Canonical Discriminant Function Coefficients

VARIABLES	FUNCTION 1
Race of the Offender	-.028
Gender of the Offender	-.321
Age at Sanctioning	.201
Last Grade Completed	.115
Length of Sentence Served	.812
Seriousness of Offense	.102

Table 10 Standardized Canonical Discriminant Function Coefficients displays the unstandardized scores which show the importance of independent variables in predicting the dependent. Race of the offender's discriminant score is -.028. Gender's discriminant score is -.321. Age at sanctioning discriminant score is .201. Length of sentence discriminant score is .812. The offense categories discriminant score is .102. Again, gender has more effect in sentence strategy than does age and both gender and age have more influences than seriousness of the offense.

Table 11. Group Centroids
Functions at Group Centroids

SANCTION STRATEGY SERVED	FUNCTION 1
Electronic Monitoring	.458
Detention	-.428

Group Centroids are displayed in Table 11. The values labeled group centroids are the mean values on the discriminant functions for the two sanction strategies. Based

on the discriminant function, electronic monitoring had the highest mean (mean=. 46), while detention had the lowest mean (mean = -.428).

Table 12. Group Classification**

				PREDICTED GROUP MEMBERSHIP	
		Sanction strategy served	EMP	Detention	Total
Original	Count	EMP	66	33	99
		Detention	26	81	107
Original	Percent	EMP	66.7	33.3	100.0
		Detention	24.3	75.7	100.0
*Cross-Validated	Count	EMP	62	37	99
		Detention	30	77	107
*Cross-Validated	Percent	EMP	62.6	32.4	100.0
		Detention	28.0	72.0	100.0

*Cross validation is done only for those cases in the analysis. **71.4% of original grouped cases correctly classified. 67.5% of cross-validated group cases correctly classified.

Table 12 shows the within-group correlations and the standardized weights which determine how well the classification function predicts group membership. The section of the table labeled original indicates how well the classification function predicts in the sample. Correctly classified cases appear on the diagonal of the classification table. Of the 99 cases in the electronic monitoring group, 66 (67%) were predicted correctly. In the detention group, 81 of 107 cases (75.7%) were classified correctly. Overall 71 percent of the cases were correctly classified.

The cross-validated section of the table indicates how the classification functions are derived based all cases except one and the left out case is excluded. The cross-validated table estimates how well the classification functions derived on all N cases could predict with a new sample. The cross-validated table shows 62 of the offenders

sanctioned to electronic monitoring and 77 of the offenders sanctioned to detention were correctly classified. Of 206 cases, the overall number of cases correctly classified was 68 percent of the sample.

A discriminant analysis was conducted to determine whether juvenile offenders would be sanctioned to electronic monitoring or detention based on their race, gender, age, length of sentence served, and seriousness of offense. The model includes all of the variables in the study and excludes cases with missing variable data (n=203). The analysis identified gender of the juvenile offender, age at sanctioning, seriousness of offense, and length of sentence served as contributing most to the differences between groups. The Wilks' lambda was significant, $\text{Lambda} = .80, \chi^2(6, N = 202) = 44.37, p < .001$, indicating differences on the five predictors between the two sanctioning strategies. Juvenile offenders were classified on the basis of the demographic factors and extralegal variables. Seventy-one percent of the juvenile offenders were correctly classified as being placed on electronic monitoring and detention. To estimate how well the classification method would predict in a future samples, a leave-one-out analysis was conducted. The results indicated that 69% of the juvenile offenders would be classified correctly. Finally, to take into account chance agreement, a kappa coefficient of .41 was computed indicating a moderately accurate prediction.

Follow-up discriminant analyses were conducted to evaluate the differences among the predictors. A discriminant analysis was conducted to determine whether race, gender, and age at sanctioning influence sanction strategy allocated. The results show that gender and age are significant. The overall Wilks' lambda was found to be significant, $\text{Lambda} = .927, \chi^2(3, N = 202) = 15.074, p < .002$, indicating that overall the

predictors differentiated among the two sanction strategies. Sixty-four percent of the cases were correctly classified as electronic monitoring and detention.

Another discriminant analysis was conducted to determine if the seriousness of offense determine the sanction strategy served. The Box M had a value of .750. The overall Wilks' lambda was found to be significant, $\Lambda = .975, \chi^2(1, N = 202) = 5.058, p < .025$, indicating that overall the predictors differentiated among the two sanction strategies. Fifty-eight percent of the sample was correctly classified. Thus, extralegal variables are better predictors of sanctioning strategy than legal variables.

Conclusion

The conclusions from the study point to a number of issues concerning juvenile offenders being sanctioned to electronic monitoring and detention. This study revealed gender, age, length of sentence, and seriousness of offense were predictors of the sanction strategy served. The Jefferson Parish Department of Juvenile Services should use age, length of sentence, and seriousness of offense when allocating sanctioning strategies.

It was hypothesized that African-Americans were more likely to be sanctioned to detention than Caucasians. This hypothesis was not supported. The study revealed race was not significant as a predictor of sanction strategy allocated. Perhaps this is due to the research data under close scrutiny by federal agencies. The results match Cohen and Klugel (1979) who found no evidence of racial discrimination on dispositional decisions after the effect of relevant legal variables were taken into account. However, the results differ from Patricia Devine (1998), who found that African-Americans were significantly over-represented at all stages of the juvenile justice system. A possible explanation for

the race results is the “feds” are being more cautious in terms of watching race/ethnicity, not gender.

Furthermore, females were 70.4 percent more likely to be placed on detention than males. This result supports Chesney-Lind and Shelden (2004) and Nagal and Hanan (Kruttschnitt and Green 2003) argument that the sex-role stereotypes of appropriate behavior for males and females cause females to receive a harsher sanction strategy than males. Chesney-Lind and Shelden suggested that a double standard of justice operates through a chivalrous male justice system that seeks to “protect” young girls from their own sexuality. Perhaps, females are sanctioned more to detention because the juvenile justice system is using the sanction as an attempt to control the female offender and serve as a surrogate father. Also, the court official’s class position and social position influence the sanction strategy allocated. The paternalistic ideology of the juvenile justice system is indicated by sanction strategy issue. Males are granted more freedom in terms of nonindex offenses due to the traditional male roles embedded in culture. Females are socialized to be more submissive. The female offender is placed in detention so that she can be placed under supervision. However, females placed in detention may experience more physical and sexual victimization. In addition, males and females should not be sanctioned differently due to discrimination and/or patriarchy. This requires further research in order to identify why females are more frequently sanctioned to detention than are males in the juvenile justice system. It should be noted that gender was not significantly related to seriousness of the offense; almost identical percentages of males and females committed each type of offense. Thus, the decision to sanction

females to detention cannot be due to the seriousness of the offense committed nor can it be due to prior offenses since these are all first time offenders.

For age, juveniles under 13 years of age were more likely to be sanctioned to detention. Possibly, younger juveniles are sanctioned to detention as a mechanism to prevent them from future offending. Also, as offenders age they commit less offenses. The age of the offender requires more research to determine why the result occurred and how younger juveniles are sanctioned to electronic monitoring or detention. Age, like gender, was not significantly related to the seriousness of the offense; therefore, seriousness of the offense cannot be used to explain why younger adolescents are more likely to receive the more severe sanction.

Seriousness of offense was not as predictive of the sanction strategy allocated. This was contrary to the idea that seriousness of offense would be the most predictive of the sanction strategy. Perhaps, this was due to the more serious offenders issued electronic monitoring and detention. Also, this may be attributed to many of the nonindex offenders are issued Diversion.

Length of sentence served was predictive of the sanction strategy allocated. Juveniles who are sanctioned longer are more likely to receive electronic monitoring. Detention is meant to be short, but intense for lasting effect. This was suggested by the literature.

In conclusion, the results regarding gender differences in the sanctioning strategy decision offers support for the argument that due to stereotypical perceptions on the part of decision makers, females as a group may be viewed as more delinquent, and may receive differential treatment than their white male counterparts. The findings illustrate

female offenders are sanctioned much more harshly than male offenders. The gender differences in sanctioning were observed more in detention than electronic monitoring. The study suggests that female offenders receive detention because of the inherent patriarchy of the juvenile justice system and sex-role stereotypes.

Weaknesses of the Study

A review of the literature, the theoretical framework, and the data collection reveals several areas for improving the allocation of sanctioning strategies to juvenile offenders. The results of this study indicate that gender bias in the juvenile justice system should be addressed. There are several weaknesses that plagued the research study, the most important being the sample, followed by the missing data, absence of a family variable, and the assumptions of the discriminant analysis not being met. First, the sample was taken solely from Jefferson Parish. Possibly, if the sample were statewide, different results would have been yielded. Consequently, the results may have been more generalizable. Second, the data collected included several variables in which data were not present in the files and, thus, not recorded. This suggests a need for better record keeping and case management. Also, the Department of Juvenile Services should attempt to obtain information about the offender's family before sanctioning the offender to electronic monitoring or detention, because family information may be vital in conjunction with gender of the offender. Perhaps, if all the data was present, a more vivid portrait of the sanctioning allocations may have been possible. Lastly, the results in the Box M were significant.

Future research could explore the perception of court officials, including how both racial/ethnic and gender bias may influence sanction strategy issued. Also, a study

can be done to find the integration effects of gender and the family. Furthermore, it is essential to consider the social and cultural context that contributes to the juvenile offender's life in order to understand their delinquency. Thus, the need for an inclusive theory of delinquency that addresses the juvenile offender who experiences marginalization and oppression in Western culture is evident.

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Appendices

Appendix A. Copy of the Data Sheet Provided by the Jefferson Parish Juvenile Services

Electronic Monitoring Program

RACE			ADJUDICATION		DATE	DATE	REFERRAL SOURCE	AGE OF OFFENSE									RE-ARREST	TERM STATUS	DATE OF TERM	NUMBER DAYS IN PROGRAM	SPECIFIC OFFENSE						
WHITE	BLACK	OTHER	P	D	ENTER PROGRAM	REENTER PROGRAM	C	P	A	M	FELONY			MISDEMEANOR			CONTEMPT			YES	NO	SUCC- COST- FOL	UNSUCC- LEAD- FOL	TERM	IN PROGRAM	OFFENSE	
W	F	W	F	W	F						12	13	14	15	16	17	12	13	14	15	16	17					
	✓			✓	8/16/03		✓															✓	✓	8/24/03	18	Cont	
✓				✓	8/17/03		✓															✓	✓	8/28/03	12	Drug Cov Cov	
		✓		✓	8/18/03		✓															✓	✓	9/3/03	17	Cont	
	✓			✓	8/18/03		✓				✓											✓	✓	11/10	90	Illeg. Poss. Stolen Poss.	
	✓			✓	8/18/03		✓				✓											✓	✓	9/2/03	44	gun	
	✓			✓	8/18/03		✓				✓											✓	✓	10/16/03	60	Hit Run	
✓				✓	8/18/03		✓															✓	✓	9/2/03	16	Drug Cov Cov	
	✓			✓	8/19/03		✓				✓											✓	✓	9/3/03	16	Poss. Stolen Poss.	
	✓			✓	8/19/03		✓				✓											✓	✓	11/10/03	22	Poss. Agg-B	
✓				✓	8/19/03		✓															✓	✓	9/1/03	14	Rev. Par.	
	✓			✓	8/19/03		✓															✓	✓	8/28/03	10	Drug Cov Cov	
	✓			✓	8/19/03		✓															✓	✓	8/27/03	9	Obsc S-Bu v	

Appendix B. Copy of the Data Sheet Provided by the Jefferson Parish Juvenile Services

Rivarde Detention Center

RACE	SEX	AGE	GRADE	ADMIT DATE	RELEASE DATE	REASON ADMITTED
H	F	15	9	6/20/03	6/22/03	14:67 THEFT
B	M	13	7	6/20/03	6/30/03	14:67 THEFT
B	M	14	7	6/20/03	6/21/03	14:67 THEFT
W	M	16	9	6/21/03	6/23/03	14:55 AGGRAVATED CRIMINAL DAMAGE PROPERTY
B	M	16	7	6/21/03	7/2/03	14:82 SIMPLE BURGLARY
B	M	10	6	6/21/03	6/21/03	14:62 SIMPLE BURGLARY
W	M	15	9	6/21/03	6/23/03	14:55 AGGRAVATED CRIMINAL DAMAGE PROPERTY
B	M	15	9	6/21/03	6/21/03	14:69 POSSESSION OF STOLEN PROPERTY
B	F	15	8	6/21/03	6/24/03	14:37 AGGRAVATED ASSAULT
B	F	13	7	6/21/03	6/22/03	14:67 THEFT
B	M	14	9	6/22/03	6/23/03	14:34 AGGRAVATED BATTERY
B	F	15	9	6/22/03	7/1/03	14:67 THEFT
W	M	16		6/22/03	6/23/03	14:35 SIMPLE BATTERY
B	F	14	8	6/23/03	6/23/03	14:68 UNAUTHORIZED USE MOVABLE
W	F	14	10	6/23/03	7/1/03	14:34.2 BATTERY ON POLICE
W	M	15	7	6/23/03	6/23/03	14:63 CRIMINAL TRESPASS
B	F	16	11	6/24/03	6/24/03	14:103 DISTURBING THE PEACE

Appendix C. Copy of the SPSS File Created from the Data Sheet.

NEW DATA FOR THESIS.SAV

	race	gender	age	grade	sentence	offense	sanction
1	1.00	.00	3.00	3.00	1.00	3.00	2.00
2	1.00	.00	3.00	98.00	2.00	2.00	2.00
3	2.00	1.00	3.00	3.00	2.00	1.00	2.00
4	2.00	.00	3.00	4.00	1.00	1.00	2.00
5	1.00	.00	4.00	1.00	1.00	3.00	2.00
6	1.00	.00	4.00	4.00	2.00	1.00	2.00
7	1.00	.00	1.00	1.00	2.00	2.00	2.00
8	1.00	.00	3.00	2.00	2.00	3.00	2.00
9	1.00	.00	3.00	1.00	1.00	3.00	2.00
10	2.00	1.00	3.00	4.00	1.00	3.00	2.00
11	1.00	.00	3.00	2.00	2.00	3.00	2.00
12	1.00	1.00	1.00	1.00	1.00	1.00	2.00
13	3.00	1.00	4.00	98.00	2.00	2.00	2.00
14	2.00	.00	1.00	1.00	3.00	1.00	2.00
15	1.00	.00	4.00	3.00	3.00	1.00	2.00
16	1.00	.00	1.00	2.00	2.00	2.00	2.00
17	1.00	1.00	3.00	2.00	1.00	1.00	2.00
18	3.00	.00	4.00	3.00	1.00	3.00	2.00
19	2.00	1.00	2.00	3.00	1.00	1.00	2.00
20	2.00	1.00	2.00	1.00	1.00	1.00	2.00
21	2.00	1.00	4.00	4.00	1.00	2.00	2.00
22	1.00	.00	1.00	1.00	1.00	1.00	2.00
23	1.00	.00	4.00	4.00	1.00	1.00	2.00
24	1.00	.00	2.00	3.00	1.00	3.00	2.00
25	2.00	.00	1.00	1.00	1.00	1.00	2.00
26	1.00	.00	3.00	2.00	1.00	3.00	2.00
27	1.00	1.00	1.00	1.00	1.00	1.00	2.00
28	1.00	1.00	2.00	2.00	1.00	2.00	2.00
29	1.00	.00	3.00	2.00	1.00	1.00	2.00
30	1.00	.00	4.00	3.00	1.00	3.00	2.00
31	1.00	.00	3.00	2.00	1.00	1.00	2.00
32	3.00	.00	1.00	1.00	1.00	1.00	2.00
33	1.00	.00	4.00	3.00	1.00	2.00	2.00
34	1.00	1.00	2.00	2.00	1.00	2.00	2.00
35	2.00	1.00	2.00	4.00	1.00	1.00	2.00
36	1.00	.00	4.00	98.00	1.00	3.00	2.00
37	1.00	.00	3.00	3.00	1.00	2.00	2.00
38	1.00	.00	3.00	3.00	1.00	1.00	2.00
39	2.00	.00	2.00	3.00	1.00	2.00	2.00

Vita

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